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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$9,101.00 IN U.S.  
CURRENCY,

2000 TOYOTA TUNDRA, VIN:  
5TBRT341XYS004769, CALIFORNIA  
LICENSE NUMBER 6B33013,

Defendants.

**2:04-CV-1896 MCE/DAD**

**FINAL JUDGMENT OF FORFEITURE**

Pursuant to the Stipulation for Final Judgment of  
Forfeiture, the Court finds as follows:

1. This is a civil forfeiture action against approximately  
\$9,101.00 in U.S. Currency seized from claimant's residence in  
San Bernadino County on February 17, 2004 by the California  
Bureau of Narcotics Enforcement ("BNE"), and a 2000 Toyota Tundra  
seized from claimant in Shasta County by BNE on February 17,  
2004. Both seizures were adopted by the United States Drug  
Enforcement Administration on March 12, 2004.

2. A Complaint for Forfeiture In Rem was filed on or about

1 September 10, 2004, seeking the forfeiture of the defendant  
2 currency and the truck, alleging that said currency is subject to  
3 forfeiture to the United States pursuant to 21 U.S.C. §  
4 881(a)(6), and that the truck is subject to forfeiture pursuant  
5 to 21 U.S.C. § 881(a)(4).

6 3. On or about September 10, 2004, the Court issued a  
7 Warrant of Arrest In Rem for the defendant currency and the  
8 defendant truck and that warrant was duly executed on or about  
9 September 28, 2004.

10 4. On or about September 14, 2004, copies of the Complaint  
11 for Forfeiture In Rem, Summons and Warrant of Arrest In Rem,  
12 Affidavit, Application and Order for Publication, and court  
13 notices were served by certified mail on claimant.

14 5. On or about November 30, December 7, and December 14,  
15 2004, a Public Notice of Arrest of defendant currency and truck  
16 appeared by publication in the Record Searchlight, a newspaper of  
17 general circulation in Shasta County. On or about January 26,  
18 2005, a Public Notice of Arrest of defendant currency and truck  
19 appeared by publication in The Sun, a newspaper of general  
20 circulation in San Bernadino County. The Proofs of Publication  
21 were filed with the Court on January 18, 2005 (The Record  
22 Searchlight) and February 9, 2005 (The Sun).

23 6. Other than claimant, no other parties have filed claims  
24 or answers in this matter, and the time for which any person or  
25 entity may file a claim and answer has expired.

26 Based on the above findings, and the Court being otherwise  
27 fully advised in the premises, it is hereby

28 ORDERED AND ADJUDGED;

1           1.     That the Court adopts the Stipulation for Final  
2 Judgment of Forfeiture entered into by and between the parties to  
3 this action.

4           2.     That judgment is hereby entered against claimant Steven  
5 Caballero and all other potential claimants who have not filed  
6 claims in this action.

7           3.     That all right, title, and interest in the defendant  
8 currency, together with any interest that may have accrued, is  
9 hereby forfeited to the United States pursuant to 21 U.S.C. §  
10 881(a)(6).

11           4.     That the United States Marshals Service shall return  
12 the defendant truck to claimant herein within 60 days after entry  
13 of this Final Judgment of Forfeiture. The U.S. Marshals Service  
14 will make arrangements for the return of the truck in  
15 consultation with claimant's attorney, John Cogorno. The  
16 claimant will be responsible for any expenses, including but not  
17 limited to travel expenses, he may incur in taking possession of  
18 the defendant truck.

19           5.     That plaintiff United States of America and its  
20 servants, agents, and employees and all other public entities,  
21 their servants, agents, and employees, are released from any and  
22 all liability arising out of or in any way connected with the  
23 arrest/seizure or forfeiture of defendant currency, and arising  
24 out of or in any way connected with the arrest/seizure of the  
25 defendant truck. This is a full and final release applying to  
26 all unknown and unanticipated injuries, and/or damages arising  
27 out of said arrest/seizure or forfeiture, as well as to those now  
28 known or disclosed. The parties to this agreement waive the



CERTIFICATE OF REASONABLE CAUSE

Pursuant to the Stipulation for Final Judgment of Forfeiture filed herein and the allegations set forth in the Complaint for Forfeiture In Rem filed September 10, 2004, the Court enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure of the defendant currency and the defendant truck.

Dated: November 17, 2005

A handwritten signature in blue ink, appearing to read "Morrison C. England, Jr.", is written over a horizontal line.

MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE